

NSMR office,
Telephone conversation with Mr. Holt, Washington, D.C. - June 22, 1966.

Mr. Holt: As you may know, or possibly don't know because it happened so quickly, the Senate legislation goes to the floor of the Senate this afternoon, and this is where Dr. Visscher is. They are over at the Capitol right now, and probably will be there until later.

Dr. Dennis: You don't happen to know what he had in mind. Is there anything that I can do from here?

Mr. Holt: I don't know what he's thinking about. I know he has some programs, some long-term programs in mind, but I hesitate to say that that is what he called you about specifically. So far as the legislation is concerned, I don't think there is anything anyone of us can do at this point. There will be some statements made on the floor of the Senate to clarify some of these points. We do feel that we can prevail in conference committee on some of it too, when the Senate House conferees get together. We've been told by a number of people friendly to us up on the Hill not to try to kill this bill. Our best bet now is probably not to try to kill this bill completely because the climate is such that it's an impossibility, especially with the changes that the Senate Commerce Committee made in the Monroney amendments. It's a virtual impossibility for anybody up there to take the position now, the hard and fast position that this will injure research. They feel that there are some points that can be taken care of in the Conference Committee. We can get other animals knocked out of this thing.

Dr. Dennis: What about appropriations to pay the expenses? Is there something attached now for that or is this going to be covered entirely by fees which would be so high?

Mr. Holt: No, I don't believe that there will be - so far as the research facilities are concerned, we have assurances from NIH, and I hope this holds, that they an informal agreement with Senator Hill to tack the section of the Hill Bill which provides grants, preferential grants in fact for animal facilities, on to another bill later this year. They seem to think that they can pull it off this way. Even if they can't do it this year they have assured us, and again with fingers crossed I say this, that they will one way or another make available funding.

Dr. Dennis: I was thinking about the inspections and things that go along with the Magnuson Bill and what it would cost the small animal dealer; that Maurice Visscher was afraid this was going to put the small dealer out of business.

Mr. Holt: I think that there's a good possibility that will happen.

Dr. Dennis: There isn't any chance of getting that inspection covered out of federal appropriation, is there? Would Congressman Poage insist upon that in Conference Committee?

Mr. Holt: Well, of course, his bill specifically asks for fees. There is some legislative history when that thing went to the House on that point and the hope is and the feeling is that the kind of fees that are going to be charged, in fact there are

some points made on the House floor on this, that this thing not be exorbitant, that they be cut back to something that these people can handle, and that is one point that I ~~trust~~ will be covered in conference so that there is some kind of guidance for the Department of Agriculture. I don't think Agriculture has any intention of trying to put the legitimate animal dealer out of business. They, of course, don't even want the bill themselves.

Dr. Dennis: No, they don't want anything to do with it, do they?

Mr. Holt: No, they don't. It's being forced upon them. I am positive that they don't want to injure the little guy who's just trying to do an honest job.

Dr. Dennis: Probably be broad-minded in administering it too.

Mr. Holt: This is the point insofar as the research facilities are concerned, particularly NIH, I feel. Agriculture has already come running to HEW on this point. They feel that the kind of guidance - Agriculture has been asked for guidance right down the line. They don't think that they are really prepared to handle this bill, they don't feel that they are the proper agency, which is true, and that somebody who is pretty close to the situation pointed out yesterday - I'll bet within two years' time NIH has this bill. In other words, to all intents and purposes the HEW is administering it. They also feel that there's a possibility this again goes to research facilities, that ~~can't~~ can't be used; in fact they hope to provide appropriations or funding help for

Dr. Dennis: Of course this would solve our problem, wouldn't it?

Mr. Holt: Yes, it would. It would help substantially. In other words, what they think - what NIH feels is that if we balance benefits against the risk on this legislation, we're probably better off trying to clean up this bill in conference, at the same time taking some kind of regulation of research facilities, that is to say the final bill as it is written by the Senate Commerce Committee - are you familiar with that at all?

Dr. Dennis: I have not seen it, I don't believe.

Mr. Holt: Well, what it does is authorize the Secretary of Agriculture to set standards in holding areas and it gives, specifically in the legislation, it gives the research facility a veto power over this. It says in effect that wherever an animal is adjudged by the research facility to be in research or experimentation, Agriculture can't touch it. Nobody can touch it. This obviously creates tremendous problems - administrative problems - and would create problems, I think, for most laboratories, because it's difficult to in good faith make the determination of when an animal is in research and when it isn't. But even with this kind of difficulty, most of our friends on the Hill feel that if you can get other animals cut out of this thing, if you can get search and seizure provision in here, which we think we can get cut back, that this thing could be lived with with these built-in safeguards and this is strictly NIH's position, in fact they've come all the way around and have decided to support - well

we're not supporting it we're still unhappy with it, but we've come to feel that perhaps balancing all the possibilities here, we ought to at least try to live with the thing. NIH also feels that, as I said, that they can work around this legislation and they can supply funding, that ^{can be used}, that almost all of the points and many of the points of the Hill Bill can be handled administratively in conjunction with this legislation that they're working on today. This is a very complicated situation.

Dr. Dennis: It sure is. It's kind of like playing roulette, isn't it.

Mr. Holt: There's no question about that. You may know that the Humane Society of the United States and the American Humane Association are up in arms over this bill. They're very unhappy with it, because they don't think it does anything. In fact, to their way of thinking, for what they're after, it doesn't probably. It's an administrative mess. The kind of bill that nobody is happy with, but in this juggling act that we have to go through here all the people ^{who} were opposed to it are friends. On the Hill and elsewhere they think that we're better off trying to clean this thing up in conference but not trying to kill it.

Dr. Dennis: I wonder if we're not better off with the *Humane bill* than before it was introduced.

Mr. Holt. This is another point. The major point that all these people make, and I think they're right on this, if you get something like this it's going to be a full day in hell before the Congress is going to listen to these people again.

Dr. Dennis: I don't know about that. It wouldn't surprise me to have them listening within two years.

Mr. Holt: They're going to come back and they're going to scream. There's no question about it.

Dr. Dennis: They're going to put on a tremendous campaign.

Mr. Holt: They're going to continue this forever and ever, but I do think that with this kind of legislation, as awkward as it may be, we've bought some time and it probably isn't going to hurt, at least this is the consensus of the people we've talked to on it. It isn't going to hurt us too much. There is a research effort and that while we like something an awful lot better, maybe we ought to just try to live with it. The point that you make is true, that maybe we are better off with something on the books than we were before with nothing on it.

Dr. Dennis: We've got to make good use of the breather that we have.

Mr. Holt: That's for sure. I hope that this is of help to you.

Dr. Dennis: Yes, thank you very much indeed. Will Dr. Visscher be calling when he gets back? I don't know what it was he wanted. I'll be in the office for a while after 5 o'clock.

Mr. Holt: I'll relay that to him and if he doesn't get back too late I'll ask him to return the call and if it is too late, I'm sure he will call you in the morning.